

Maine Revised Statutes
Title 29-A: MOTOR VEHICLES AND TRAFFIC
Chapter 23: MAJOR OFFENSES - SUSPENSION AND REVOCATION

§2484. HEARING PROCEDURES

In addition to the general hearing procedures set forth in chapter 1, hearings held under this chapter are governed by the following provisions. [1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF).]

1. Evidence. Evidence admissible in a court under section 2431 is admissible in a hearing.

[1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF) .]

2. Official notice. The Secretary of State may take official notice of the transcript or abstract of the records maintained by the Secretary of State's office or of any court.

If the name and date of birth of the person requesting the hearing is the same as the name and date of birth of the person named in the transcript or abstracts, then the abstracts are presumed to be those of that person.

A transcript or abstract is prima facie evidence that the person named was convicted or adjudicated of each offense shown by the transcript or abstract.

A person denying a fact appearing on a transcript or abstract, or the identification has the burden of proving that the fact is untrue.

[1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF) .]

3. Evidentiary standard. Unless otherwise provided, the Secretary of State shall make a determination by a preponderance of the evidence.

[1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF) .]

SECTION HISTORY

1993, c. 683, §A2 (NEW). 1993, c. 683, §B5 (AFF).

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